

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JOHN H. WEST, JR.,	:	Case No. 1:15-cv-267
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
WARDEN, ROSS CORRECTIONAL	:	
INSTUTION,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY ADOPTING THE REPORT AND  
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE  
(Doc. 14)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on March 23, 2016, submitted a Report and Recommendations. (Doc. 14). No objections were filed.<sup>1</sup>

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations (Doc. 14) should be and is hereby adopted in its entirety. Accordingly:

---

<sup>1</sup> On April 12, 2016, Petitioner moved for a 30 day extension of time to file objections (Doc. 15), which this Court granted (4/13/16 Notation Order). Subsequently, Petitioner moved for another 30 day extension of time to file objections (Doc. 16), which this Court granted (5/16/16 Notation Order). Accordingly, Petitioner's objections were due on or before June 16, 2016. Petitioner has had three months since the issuance of the Report and Recommendations to file objections, which this Court considers to be more than sufficient time.

1. The Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 3) is **DENIED** with **PREJUDICE**;
2. A certificate of appealability under 28 U.S.C. § 2253 is **DENIED**; and
3. An application to proceed on appeal *in forma pauperis* under 28 U.S.C. § 1915(a)(3) is **DENIED**.

**IT IS SO ORDERED.**

Date: 6/27/16

Timothy S. Black  
Timothy S. Black  
United States District Judge